

perfect abstract, impels me to recommend the passage of an act looking to the compilation of a complete and perfect abstract by the Commissioner of the General Land Office. It can only be done in a perfect manner by him or under his direction.

I also herewith transmit a resolution of the Capitol Board, adopted at its meeting on the fourteenth instant. The country, the Governor, and your honorable bodies are fully apprised of the difficulties attending the erection of this the temporary capitol building.

This resolution was adopted by the Board after a personal and careful examination of the building and its surroundings, and I add, after a personal inspection by myself, and it is a patent fact that in case of a continued heavy rain, that this building would be seriously endangered.

An immediate removal of the rubbish around the building, and the raising of the sidewalks, and placing heavy stone pavements thereon, with high curbing, as well as such other repairs as will readily suggest themselves, are imperatively demanded, and I recommend the appropriation of the sum named in the resolution for that purpose.

I am, gentlemen, respectfully yours,

JNO. IRELAND,
Governor of the State of Texas.

OFFICE OF COMPTROLLER,
AUSTIN, February 14, 1883.

Hon. John Ireland, Governor of Texas, Austin, Texas:

SIR:—By an act approved August 19, 1876, providing the manner of collecting the taxes due on all lands which have not been rendered for taxation from 1870 to 1876, the Comptroller was required to make up a list of all such unrendered lands and forward same to the several counties to be proceeded against, as directed by the act.

The compilation of this list was begun by Comptroller S. H. Darden, but in the progress of the work the difficulties that presented themselves were so serious that, in his annual report to the Governor for the year ending August 31, 1878, he stated that it was impossible to make up a list of the unrendered lands with proper accuracy.

On the twenty-fourth of April, 1879, the act of August 19, 1876, was repealed, and a new act passed, with the view of meeting the difficulties which existed in the original statutes.

The work was prosecuted under the new act, and in 1880 the lists for about forty counties were completed and forwarded to the several counties. These lists were compiled from old and imperfect records, and were found to be so inaccurate that the Seventeenth Legislature, at its special session, passed an act suspending all proceedings on said lists until the Comptroller could prepare such lists as were considered accurate.

The work was continued by Hon. W. M. Brown, Comptroller, with the new abstracts of land titles and the impossibility of making correct lists has been so clearly demonstrated, that I deem it proper to call attention to the subject that some steps may be taken looking to a final disposition of the question.

Some of the difficulties in the way of compiling accurate lists of the unrendered lands are evident even to the most casual observer. In almost every county of the State the rendition of lands for taxation has been so inaccurate as to make it, in a good number of cases, impossible to determine, by comparison with the abstracts, what grant the assessment was intended to cover. It is not an unusual occurrence that owners of lands, in rendering same, give, instead of original grantee, the name of the party who conveyed the title to them, and in many instances no grantee is given; in other cases, where there are several grants in the same county in the same name, the renditions are so imperfect that it is impossible to determine which grant is meant.

In a great many instances the taxes may have been paid by the owners in full, but the imperfect renditions make identification impossible, and should lists be compiled from such imperfect data, the rights of citizens in many cases would be violated, and a cloud cast upon the title to property which, in fact, was free from any claim for taxes due the State.

This is no new question now presenting itself for the first time. As far back in our history as 1850 we find a statute, approved February 11 of that year, which was enacted to reach the same evil in our tax system that our present law was intended to correct. Following up the action had under that law we find the same unsatisfactory results. The same conditions that existed then exist now, rendering a compliance with the law impossible without involving seriously the rights of property holders.

Referring to the Comptroller, Hon. Jas. B. Shaw, for the year 1852-3, in speaking of this subject he says: "In the progress of the examination notwithstanding every means have been used to guard against it, I find it exceedingly difficult, and in some instances impossible, owing to vagueness of its description, to identify a consid-

erable portion of the property rendered in the different counties, with the Commissioner's abstract, in consequence of which many tracts of land are liable to be sold for taxes which have already been paid." In his report for 1854-5 the Comptroller, Mr. Shaw, in alluding to the same object, says: "Subsequent experience has only strengthened the belief that the present law is not adequate to the object for which it was enacted, and that the public interest requires that it should receive the attention of the Legislature at its present session." In his succeeding report for 1866-7, he again states that subsequent experiences has only strengthened the belief that our present law is inadequate to the object of its enactment.

Thus we find that the same difficulties we labor under now presented themselves in the early history of the State, and the matter dragged along from year to year without a satisfactory solution. The difficulties which were considered so great even when Texas was in her infancy as a State, have increased a thousand fold, and the errors growing greater by the lapse of time, have rendered it now impossible to make even an approximately correct list of lands which have not been rendered for taxation.

On the twenty-second of April, 1871, an act was passed prescribing how property might be free from back taxes, providing that any person who should render and pay the State and county taxes levied by that act, for the year 1871, and three times the amount of State and county taxes so assessed and paid, should be fully acquitted and discharged of all demands of the State upon property so paid on for back taxes of any character.

Under the provisions of the act authorizing voluntary renditions, large amounts were paid into the treasury; taxpayers often rendering property for taxation, which had not been assessed for ten or twelve years.

Allusion is made to past legislation upon this subject to show how unsuccessful have been all laws in the past in reaching the lands which have not been rendered for taxes. The difficulties have increased with each year, and in view of this fact, and the further fact that many of the land owners of the State are desirous of paying the back taxes on their lands, and thus relieve them of any claim on the part of the State, I would respectfully suggest that the attention of the Legislature be called to this subject as one of great importance to the people.

I would therefore recommend that the act of April, 1879, be amended by the Legislature at the present session so as to permit the owners of lands which have not been rendered for taxes to render the same for all back years to the assessor of the county in which the land is situated.

It is believed that a considerable sum will be realized to the State by adopting this method. Under the present law, no person can pay their taxes, however much they may desire to do so, until all the forms prescribed by the act of 1879 are complied with.

Respectfully,

WM. J. SWAIN, Comptroller.

OFFICE OF CAPITOL BOARD,
AUSTIN, February 14, 1883.

Resolved, That it is the sense of this Board that the immediate appropriation, by the Legislature, of the sum of sixteen thousand dollars (\$16,000) is absolutely necessary for the protection and safety of the temporary State capitol building; a portion of said amount to be at once applied for sewerage, drainage and fire protection, the balance to be used for interior and exterior finish, and for grading and paving, etc., as set forth in the report and estimate of the superintendent of construction of said building previously submitted.

Resolved further, That His Excellency, Governor John Ireland, President of the Capitol Board, be and is hereby respectfully requested to transmit this resolution to the Legislature.

The foregoing resolution was unanimously adopted by the Capitol Board at a meeting of said Board held this, the fourteenth day of February, 1883.

Respectfully,

JNO. T. DICKINSON,
Secretary of the Board.

On motion of Senator Pope, the Senate adjourned until 10 o'clock to-morrow morning.

THIRTY-THIRD DAY.

SENATE CHAMBER, }
AUSTIN, February 16, 1883. }

The Senate met pursuant to adjournment.
Lieutenant-Governor Martin in the chair.
Roll called. Quorum present.

Prayer by the Chaplain, Rev. Dr. Smoot.

On motion of Senator Traylor, Senator King was indefinitely excused, on account of sickness.

On motion of Senator Gibbs, Senator Buchanan was excused for three days.

On motion of Senator Stratton, Senator Shannon was excused indefinitely, on account of sickness.

On motion of Senator Chesley, the reading of the journal of yesterday was dispensed with, and the same adopted.

Senator Evans presented a petition from the citizens of Fannin county, asking for an amendment to the local option law.

Referred to Judiciary Committee No. 2.

Senator Gibbs presented a petition from citizens of Dallas, and in the village of East Dallas, protesting against the extension of the corporation of the city of Dallas.

Referred to Committee on State Affairs.

Also, a petition from the citizens of East Dallas, protesting against amendment of the charter of the city of Dallas, so as to absorb them, as is contemplated by bill being published, to amend the charter of said city.

Referred to Committee on State Affairs.

Senator Gooch presented a memorial from a portion of the citizens of Palestine, asking that an amendment be proposed to the State Constitution, changing article 8, section 9, of the same, making the taxing power plainer, authorizing citizens to make other permanent and useful public improvements besides public buildings.

Referred to Committee on Constitutional Amendments.

Senator Farrar presented a petition of the mayor, city council and citizens of Corsicana, in reference to amending section 9, of article 8, of the Constitution of the State of Texas.

Senator Kleberg presented a petition of citizens of Jackson county, asking the Legislature to release them from the payment of State taxes for 1882, and donate the same to said county.

Referred to Committee on State Affairs.

Senator Traylor, chairman of Committee on Claims and Accounts, submitted the following report:

COMMITTEE ROOM,
AUSTIN, February 16, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Claims and Accounts, to whom was referred the memorial of Lewis Eilers, asking for an appropriation for the payment of certain school vouchers and claims, have carefully examined the same, and a majority of your committee instruct me to report the same back with the recommendation that the report be adverse to the payment of said vouchers and claims.

All of which is respectfully submitted.

TRAYLOR, Chairman.

Senator Gooch, chairman of the committee of the whole Senate, submitted the following report:

SENATE CHAMBER,
AUSTIN, February 15, 1883.

Hon. Marion Martin, President of the Senate:

Your committee of the whole Senate, to whom was referred certain resolution of instruction to the Committee on Public Lands, would respectfully report to your honorable body that they have carefully considered the same, and report the following 15 series of resolutions as instructed to said Committee on Public Lands, and recommend their adoption:

1. The bill shall contain provisions, both for sale and lease of the school land.

2. The land shall not sell for less than \$2 for unwatered land, \$3 for watered land, and \$5 for timber land, suitable for lumber, and \$3 for timber land not suitable for lumber.

3. The timber useful for lumber may be sold at not less than — dollars per acre, cash, and the land reserved from sale except to actual settlers.

4. Pasture lands not timbered, shall be leased by competition in suitable bodies for ranch purposes, for not less than four cents an acre, nor for longer terms than ten years; provided, that for actual

settlement, said lands are to remain on the market for sale, in bodies not to exceed 640 acres, to any one actual settler; provided, that parties leasing less than five sections of land shall not be subject to the claims of actual settlers; and provided further, that where the lessee has but one watered section, the same shall not be subject to sale during the continuance of the lease.

5. The land shall be sold on thirty years' time.

6. The rate of interest shall be 5 per cent.

7. The principal on deferred payments shall not be paid for ten years after sale.

8. Forfeiture of the land shall be provided for without judicial ascertainment.

9. The amount of land that may be purchased by any one person shall be confined to one section for farming lands, or to any amount to suit purchaser when classed as pasture land.

10. The lands classed as agricultural shall be sold to actual settlers only, unless it lies in such a shape as to be used more advantageously in the sale or lease of large tracts of land more suitable for grazing purposes.

11. Actual settlers shall have a prior right for six months from the time the lands are placed on the market to purchase lands upon which they are located, so as to include their improvements, at the minimum price fixed by law.

12. The sale and lease of the land shall be made under the direction of a board, to be composed of the Governor, Attorney-General, Secretary of State, Comptroller, Treasurer and Commissioner of the General Land Office, under such rules and regulations as said board shall prescribe.

13. The bill shall provide for an examination, classification and description of all mineral lands by a mineral expert.

14. In the sale of pasture lands no more than one section of watered land shall be sold to one individual, where the same will prejudice the sale of other sections.

15. That the Committee on Public Lands be further instructed to so provide, in the draft of the bill, that competition in the sale or purchase of the school land be secured, if possible.

All of which is respectfully submitted.

Gooch, Chairman.

On motion of Senator Davis, the reading of the report of Senator Gooch was dispensed with until called for.

Senator Fowler introduced a bill to be entitled "An act to amend articles 3752 and 3758, chapter 3, title 78, of the Revised Statutes." (School law.)

Referred to Committee on Education.

Senator Terrell introduced a bill to be entitled "An act for the further regulation of railroad companies in the State of Texas by creating a railroad commission and State engineer, and to prescribe the powers and duties of each."

Referred to Committee on Internal Improvements.

On motion of Senator Peacock, 100 copies of the bill just introduced by Senator Terrell was ordered printed.

Senator Matlock introduced a bill to be entitled "An act to create Wheeler, Oldham and Donley land districts."

Referred to Committee on Public Lands.

Also, a bill to be entitled "An act to attach certain unorganized counties to the counties of Wheeler, Oldham and Donley, for judicial purposes."

Referred to Committee on Judicial Districts.

Senator Gooch introduced a bill to be entitled "An act to amend article 422, chapter 5, of title 17, of the Revised Civil Statutes, so as to permit cities to pay their bonds in a less time than ten years, and limiting the rate of tax to pay the same."

Referred to Judiciary Committee No. 2.

Also, a bill to be entitled "An act directing the officers of the State how to compute the annual available fund arising from bonds purchased for the school fund and other trust funds, at a premium, and providing against the diminution of the principal of the permanent funds heretofore or hereafter invested."

Referred to Committee on Finance.

Senator Pope introduced a joint resolution to amend section 28, article 16, of the Constitution of the State of Texas.

Referred to Committee on Constitutional Amendments.
Senator Farrar introduced a joint resolution amending section 9, of article 8, of the Constitution of the State of Texas.

Referred to Committee on Constitutional Amendments.
Senator Davis introduced a bill to be entitled "An act to authorize the Attorney-General to procure an official seal for the use of his department."

Referred to Judiciary Committee No. 1.

Senator Perry introduced a bill to be entitled "An act to amend articles 4370, 4371 and 4372 of the Revised Statutes, providing for the laying out and opening public roads."

Referred to Committee on Roads and Bridges.

Senator Pope introduced a bill to be entitled "An act to regulate telegraph companies in the State of Texas."

Referred to Judiciary Committee No. 1.

Senator Getzendaner introduced a resolution to inquire into the expediency of establishing a superintendent of the public free school system of the State.

Referred to Committee on Constitutional Amendments.

On motion of Senator Cooper, for Committee on State Affairs, 100 copies of Senate bill No. 24, "An act to authorize the Gulf Pier and Harbor Company, of Galveston, Texas, to construct a protected pier and harbor in the open gulf opposite the city of Galveston, and to grant certain lands, rights, uses and privileges in aid of said enterprises," were ordered printed.

Senator Stratton, by request, moved that 100 copies of Senate bill No. 240, "An act to aid in preventing the spreading of smallpox, and to provide sanitary regulations for guidance of the State Health Officer, and other State officers and employees," be printed for use of Senate.

Adopted.

The President laid before the Senate the report of Senator Gooch, Chairman of the committee of the whole. On resolution of Senator Gooch, said report was read, and on motion of Senator Houston, was adopted, and referred to Committee on Public Lands for instruction.

Senator Gooch moved to reconsider the vote by which the report was adopted, and to lay the motion on the table.

The motion was laid on the table by the following vote:

YEAS—25.

Chesley,	Gooch,	Peacock,
Collins,	Harris,	Perry,
Cooper,	Houston,	Pope,
Evans,	Johnson of Collin,	Randolph,
Farrar,	Johnston of Shelby,	Stratton,
Fleming,	Jones,	Terrell,
Fowler,	Kleberg,	Traylor,
Getzendaner,	Martin,	
Gibbs,	Matlock,	

NAYS—2.

Davis. Pfeuffer.

Senator Martin moved to suspend the rules and take up Senate joint resolution No. 15, limiting taxation.

Rules suspended, and Senate joint resolution No. 15, taken up with committee amendments or substitute for body of resolution, and read second time.

On motion of Senator Davis, the substitute of committee was adopted.

Senator Gooch offered the following amendment:

After the word "bridges," insert "streets, sewers and local permanent improvements."

Adopted.

Senator Chesley offered the following amendment:

Amend by striking out and inserting as follows: "For the construction and repairs of public buildings not to exceed 25 cents, and, except for repairs of roads and bridges, not to exceed 15 cents."

Lost.

Senator Matlock offered the following as a substitute:

SECTION 9. The State tax on property, exclusive of the tax necessary to pay the public debt, shall never exceed thirty-five cents on the one hundred dollars valuation, and no county, city or town shall levy more than twenty-five cents on the one hundred dollars valuation, except for the payment of debts incurred prior to the adoption of this amendment, and for the construction and repair of public buildings, roads and bridges, streets, sewers and local permanent improvements, not to exceed fifty cents on the one hundred dollars in any one year, and except as in the Constitution is otherwise provided, and the road and bridge and street tax herein permitted shall never exceed more than fifteen cents on the one hundred dollars valuation, in any one year.

Lost.

The joint resolution was ordered engrossed by the following vote:

YEAS—22.

Chesley,	Gibbs,	Matlock,
Collins,	Gooch,	Peacock,
Cooper,	Harris,	Perry,
Davis,	Houston,	Pfeuffer,
Farrar,	Jones,	Randolph,
Fleming,	Kleberg,	Stratton,
Fowler,	Martin,	Traylor,
Getzendaner,		

NAYS—3.

Evans, Johnson of Collin, Johnston of Shelby.

A message was received from the House informing the Senate of the passage by that body of substitute Senate bill No. 14, "An act to provide for the payment of certain debts of the State out of that half of the proceeds of sales of public lands not belonging to the common school fund."

Also, House bill No. 21, "An act to provide for the surrender of charters of incorporated cities and towns in this State, to authorize the counties wherein said cities and towns are situated to become their successors, and to confer such powers on the county commissioners' court as may be necessary for the government and well being of said cities and towns."

Also, of the adoption of House concurrent resolution in reference to the committee visiting the grave of Ben Milam.

Also, the adoption of House concurrent resolution instructing our Senators, and requesting our Representatives, in Congress, to prevent the removal of troops and the abandonment of military posts on the Rio Grande frontier.

The President gave notice of signing Senate bill No. 193, "An act to provide for the improvement and repairs of the Lunatic Asylum, and the enlargement of the asylum grounds, and to make an appropriation therefor."

Senator Terrell moved to suspend the regular order of business, to take up Senate bill No. 14, "An act to provide for the payment of certain debts of the State out of that half of the proceeds of sales of public lands not belonging to the common school fund," reported from the House this morning, with House amendment.

Adopted.

Senator Davis moved that the Senate concur in House amendment to Senate bill No. 14.

Adopted.

Senate bill No. 10, entitled "An act to repeal an act entitled 'an act to prescribe the requisites of indictments in certain cases,' approved March 26, 1881, except as to indictments and criminal prosecutions pending at the time this act takes effect," was taken up and read third time.

Senator Davis offered the following amendment;

Strike out the word "except," and all after it in the caption.

Adopted by the following vote:

YEAS—22.

Chesley,	Gooch,	Matlock,
Collins,	Harris,	Peacock,
Cooper,	Houston,	Pfeuffer,
Davis,	Johnson of Collin,	Pope,
Evans,	Jones,	Randolph,
Fleming,	Kleberg,	Terrell,
Getzendaner,	Martin,	Traylor,
Gibbs,		

NAYS—1.

Fowler.

Senator Terrell offered the following amendment:

"If the indictment be sufficient under the Constitution and law."

Withdrawn, and bill passed.

The following letter from Ben. E. McCulloch, assistant superintendent of penitentiary, to his Excellency, Governor Ireland, was presented to the Senate by the President, and referred to the Committee on Penitentiaries:

HUNTSVILLE, TEXAS, February 13, 1883.

Hon. John Ireland, Governor of Texas, Austin:

DEAR SIR:—There are incarcerated in this prison several persons of unsound mind, most of whom are harmless, but one is at times dangerous. There are also two persons who have been blind a short time, Tom Cullins, in whose case you receive a certificate of the prison physician, by this mail, and Ben Williams, a negro, who was sent in from a farm on November last.

I take the liberty to call your attention to these unfortunate people, and would respectfully ask (as Dr. Bush has already done in his biennial report as to the insane), if it would not be advisable to suggest some legislation for the relief of this class of criminals.

I would also respectfully suggest that a law granting to convicts, a financial reward, setting apart a sum monthly, out of the money that they earn for the State, or to be appropriated for the special purpose, for the use and benefit of their families while they are here, or, if they be single men, let it accumulate to their credit, in order that when their time expires, they will have a small amount on which to make a start in life, or to live upon until they can find employment.

If this is done, I believe it would be a great stimulus to encourage these people to a prompt obedience of the rules, and in fact, prove to be a prominent factor in carrying out the object of our penitentiaries.

I know you are very busy, but I trespass on your time and patience this much, feeling as I do an interest in these people,

Yours Truly,

BEN. E. McCULLOCH,
Assistant Superintendent Penitentiary.

Senate bill No. 42, entitled "An act to amend chapter 3, of title 17, of the Penal Code, by adding another article relating to trespass upon enclosed land, and to punish the same," was taken up, read third time and passed.

Senate bill No. 103, entitled "An act to amend section 7, of an act entitled 'an act to give effect to section 2, article 9, of the Constitution, regulating the manner of removing and locating county seats, and to provide for the location of county seats in organized counties where no county seat has been created by existing law,' approved April 10, 1879," was taken up, read third time and passed.

Senate bill No 127, to be entitled "An act to reserve and set apart three hundred and twenty-five leagues of land heretofore surveyed for the benefit of the unorganized counties of this State, and such organized counties as may have located their four leagues of school land, or any part thereof in conflict with said prior locations and surveys, or which may from any cause fail to get title to the four leagues of land they are entitled to receive under the law," was taken up and read third time.

Senator Traylor offered the following amendment:

In section 1, line 16, after the phrase "the number of acres," add "it may be entitled to from any cause or."

Adopted by the following vote:

YEAS—23.

Chesley,	Gibbs,	Martin,
Collins,	Gooch,	Matlock,
Davis,	Harris,	Peacock,
Evans,	Houston,	Perry,
Farrar,	Johnson of Collin,	Pfeuffer,
Fleming,	Johnson of Shelby,	Pope,
Fowler,	Jones,	Traylor,
Getzendaner,	Kleberg,	

NAYS—none.

The bill was then passed by the following vote:

YEAS—23.

Chesley,	Harris,	Peacock,
Collins,	Johnson of Collin,	Perry,
Cooper,	Johnson of Shelby,	Pfeuffer,
Evans,	Jones,	Pope,
Fleming,	Kleberg,	Randolph,
Fowler,	Martin,	Terrell,
Getzendaner,	Matlock,	Traylor,
Gibbs,		

The President gave notice of signing substitute House bills Nos. 95 and 190, entitled "An act to provide for the purchase of a site for, and the establishment, location and construction of a branch asylum in North Texas, for the care and treatment of the insane, and to make an appropriation for the same."

Senator Johnston of Shelby moved to suspend the rules and take up Senate bill No. 186, entitled "an act to protect hog raising in the State of Texas."

Motion adopted, and bill taken up and read second time.

Senator Traylor offered the following amendment:

Add after the word "the," in line 2, the word "enclosed."

Lost.

Senator Davis offered the following amendment:

Amend the caption so as to read, "an act to authorize the owners of land to conscript other people's hogs."

Senator Pope moved to lay the motion on the table.

Adopted, and amendment lost.

Senator Matlock moved the previous question.

Motion seconded, main question ordered and bill ordered engrossed.

The President laid before the Senate substitute for House joint resolution No. 5, "Granting leave of absence to certain district and county judges of the State of Texas."

On motion of Senator Terrell, the substitute for House joint resolution was laid on the table subject to call.

Senator Cooper, chairman of Committee on Enrolled Bills, submitted the following reports:

COMMITTEE ROOM,
AUSTIN, February 16, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 30, being "An act to amend article 1000, of chapter 1, title 13, of the second section of an act to adopt and establish a Penal Code and a Code of Criminal Procedure for the State of Texas," passed February 21, 1879," and find the same correctly enrolled, and have this day, at 11:30 o'clock a. m., presented the same to the Governor for his approval.

COOPER, Chairman.

COMMITTEE ROOM,
AUSTIN, February 16, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 193, being "An act to provide for the improvement and repairs of the Lunatic Asylum, the enlargement of the asylum grounds, and to make an appropriation therefor," and find the same correctly enrolled, and have this day, at 11:30 o'clock a. m., presented the same to the Governor for his approval.

COOPER, Chairman.

The President laid before the Senate the committee sub-

stitute for Senate bill No. 1, a bill to be entitled "An act to further regulate the creations and proceedings of private corporations, by amending articles 568 and 570 of the Revised Statutes, and making an additional article, to be known as article 574a."

Senator Terrell offered the following amendment:

Add to sub-division 26, section 1, the following: "But no private corporation shall hereafter acquire title to real property in this State exceeding in amount six hundred and forty acres, except under laws enacted heretofore, and for services or public works done in pursuance thereof."

Senator Gibbs offered the following amendment to amendment of Senator Terrell:

Amend by inserting "county" instead of "State," and add "unless it is necessary to carry on some business in which the land is actually used."

Both of the above amendments pending on adjournment.

A message was received from the House announcing the passage, by that body, of House bill No. 257, entitled "An act to amend article 117, section 4, chapter 1, title 8, of the Revised Statutes of Texas, providing for the maintenance of lunatics by the commissioners' court, when they cannot be admitted in the asylum."

The President then had the following communication read by the Secretary:

INSTITUTE FOR THE BLIND,
AUSTIN, February 16, 1883.

Hon. Marion Martin, Lieutenant-Governor:

DEAR SIR:—Please be kind enough to invite the honorable Senators and their officers to be present at an exhibition, which will be given by the pupils at the Blind Institute to-night. The exercises will begin at 8 o'clock. No charge for admission for any others the Senators may choose to invite.

Respectfully,

FRANK RAINEY,
Superintendent Institute for the Blind.

Senator Houston, in order that the committees might consider important matters to-morrow and report Monday, moved that the Senate adjourn until Monday morning at 10 o'clock.

Adopted.

THIRTY-FOURTH DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, February 19, 1883. }

Senate met pursuant to adjournment.

Lieutenant-Governor Martin in the chair.

Roll called. Quorum present.

Prayer by the Chaplain, Rev. Dr. Smoot.

On motion of Senator Martin, the reading of the journal of Friday was dispensed with, and the same adopted.

Senator Randolph presented a petition from the citizens of Madison county, asking that the law enacted at the called session of the Seventeenth Legislature, reducing passenger fare to three cents per mile, remain and not be repealed, and respectfully asking that laws be enacted to prevent discrimination against persons and places in carrying freight, etc., and suggesting that such legislation be had as will be just to the railroads and just to the people.

Referred to Committee on Internal Improvements.

Senator Jones presented a memorial from the commissioners' court of Harris county, praying for the repeal of section 1, chapter 9, of the acts of 1881.

Referred to Judiciary Committee No. 2.

Also, a memorial of blacksmiths and carriage makers, to the Legislature, praying for the passage of a law giving a lien on articles made or repaired by them.

Referred to Judiciary Committee No. 2.

Senator Traylor, chairman of Committee on Claims and Accounts, submitted the following report:

COMMITTEE ROOM,
AUSTIN, February 19, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Claims and Accounts, to whom was referred Senate bill No. 253, entitled "An act for the relief of W. S. Anderson, providing for the refunding by the State of certain taxes illegally collected," have carefully examined the same, and a majority of your committee instruct me to report the same back with the recommendation that it do pass.

All of which is respectfully submitted.

TRAYLOR, Chairman.

Bill read first time.

Senator Davis, for Judiciary Committee No. 1, submitted the following report:

COMMITTEE ROOM,
AUSTIN, February 16, 1883.

Hon. Marion Martin, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 282, entitled "An act to authorize the Attorney-General to procure an official seal for the use of his department," have carefully examined the same, and instruct me to report back the accompanying substitute, and recommend that such substitute do pass.

All of which is respectfully submitted.

DAVIS, for Committee.

Bill read first time.

Senator Davis, chairman of Committee on Education, submitted the following reports:

COMMITTEE ROOM,
AUSTIN, February 19, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Education, to whom was referred Senate bill No. 188, entitled "An act to amend section 3 of 'an act to establish a State normal school,' approved April 21, 1879," have carefully examined the same, and instruct me to report the same back with the recommendation that it do not pass.

All of which is respectfully submitted.

DAVIS, Chairman.

Bill read first time.

COMMITTEE ROOM,
AUSTIN, February 19, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Education, to whom was referred Senate bill No. 205, entitled "An act relating to teachers' certificates of qualification," have carefully examined the same, and instruct me to report back the accompanying substitute, and to recommend that such substitute do pass.

All of which is respectfully submitted.

DAVIS, Chairman.

Bill read first time.

COMMITTEE ROOM,
AUSTIN, February 19, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Education, to whom was referred House bill No. 22, entitled "An act to authorize and require the county commissioners' courts of the several counties in the State to provide for the payment of all claims due teachers of public free schools, audited as valid claims under acts of the Legislature of Texas, approved August 7, 1876, or April 23, 1879," have carefully examined the same, and instruct me to report the same back with the recommendation that it lie on the table, to await action of Senate bill No. —, which has for its object the same result.

All of which is respectfully submitted.

DAVIS, Chairman.

Bill read first time.

COMMITTEE ROOM,
AUSTIN, February 19, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Education, to whom was referred Senate bill No. 187, entitled "An act to establish the Sterling Robertson Normal School," have carefully examined the same, and a majority of your committee instruct me to report it back with the recommendation that it do pass.

All of which is respectfully submitted.

DAVIS, Chairman.

Bill read first time,